

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of April 10, 2007 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

In the Office Action, Claims 1, 2, 5, 7-10, 12-16, 19, and 21-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Rouillard, J., *A Multimodal E-Commerce Application Coupling HTML and VoiceXML* (hereinafter Rouillard). Claims 3, 4, 11, and 17-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rouillard in view of Eberman, *et al.*, *Building VoiceXML Browsers With Open VXI* (hereinafter Eberman). Claims 6 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rouillard in view of U.S. Patent 5,867,160 to Kraft, IV, *et al.* (hereinafter Kraft).

Applicants have amended independent Claims 1, 10, 15, and 24 to further emphasize certain aspects of the invention. Applicants have amended dependent Claims 4 and 18 to maintain consistency among the claims. Claims 3, 5, 6, 11, 17, 19, and 20 have been cancelled. As discussed in the following section, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by virtue of the claim amendments.

Aspects Of Applicants' Invention

It may be useful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment, typified by Claim 1, as amended, is a method for speech enabling an application.

The method can include specifying a speech input with a speech-enabled markup, and defining within the speech-enabled markup at least one operation of an application

that is to be executed upon detecting the specified speech input. The method also can include associating the speech-enabled markup with a graphical user interface element of the application. (See, e.g., Specification, paragraph [0029], lines 7-8). The application can then be instantiated after the defining and associating steps are performed. (See, e.g., Specification, paragraph [0029], lines 8-9.)

Additionally, the method can include monitoring to determine whether the graphical user interface element receives focus and, if the graphical user interface element receives focus, then the speech-enabled markup can be loaded into a markup interpreter and activated. (See, e.g., Specification, paragraph [0030], lines 1-5.) The markup interpreter can be embedded within an operating system on which the application executes.

The method can further include monitoring audible input to determine whether the specified speech input is received when the speech-enabled markup is activated, and executing the application operation if the specified speech input is received. (See, e.g., Specification, paragraph [0031], lines 1-6.) If the graphical user interface element loses focus, the speech-enabled markup can be deactivated so that the application no longer monitors audible input for the specified speech input. (See, e.g., Specification, paragraph [0032], lines 1-8.)

The Claims Define Over The Cited References

As already noted, independent Claims 1, 10, 15, and 24 were each rejected as being anticipated by Rouillard. Rouillard is directed to a "virtual shop" that allows a customer to use voice input and see the results of a submitted request on the screen of a computer. (Rouillard, Abstract.) It is noted in the Office Action, however, that Rouillard fails to disclose the feature of determining whether a graphical user interface loses focus. Nonetheless, it is stated that this feature is found in Kraft.

Kraft is directed to a system and method for automatically adjusting the priority assigned to execution of applications so as to improve operational performance in the context of a computerized multitasking graphical user interface environment. (Kraft, Abstract.) Specifically, with respect to the execution of applications on a system, Kraft provides the following:

"In a first alternative of [the] approach, the window manager will keep track of the processes of its interclient communication manager (ICCCM) GUI applications which are being managed, lowering the priority of an application when it loses focus and restoring its priority when it comes into focus. Such a solution is effective for statically library linked legacy applications." (Kraft, Col. 7, lines 21-27.)

Applicants respectfully submit, however, that merely prioritizing among applications based on an application's focus relates to only a portion of the claimed features of Applicants' invention. For example, Kraft's prioritizing, even when combined with the teaching of Rouillard, does not teach or suggest monitoring the focus of a graphical user interface element in order to determine whether and when to load a speech-enabled markup into a markup interpreter and to activate same. Nor does it teach or suggest, monitoring audible input to determine whether the specified speech input is received, but do so only if the speech-enabled markup is activated.

It follows that Kraft, alone or in combination with Rouillard, nonetheless fails to teach or suggest the cooperative monitoring both for audible input and for a received focus a graphical user interface element, as recited in Claims 1, 15, and 24. It further follows that neither Kraft nor Rouillard, alone or in combination, teaches or suggests deactivating the speech-enabled markup so that the application no longer monitors

audible input for the specified speech input if the graphical user interface element loses focus, as further recited in Claims 1, 15, and 24.

It is also noted in the Office Action that Rouillard fails to disclose a speech-enabled markup interpreter within an operating system. It is stated, however, that this feature is taught by Eberman. Eberman is directed to a portable open source "toolkit" for interpreting the VoiceXML dialog markup language. (Eberman, Abstract.) In particular, Eberman provides the following

"Figure 2 shows the OpenVXI toolkit architecture and its component parts. All components are designed to be portable across WINDOWS and Unix operating systems. The OpenVXI currently compiles on RedHat 6.2, RedHat 7.1, Solaris 7, Mac OS X, and WINDOWS." (p. 714, section 3.) (Emphasis supplied.)

Applicants respectfully submit that Eberman does not teach or suggest that the markup interpreter is embedded within an operating system on which the application executes. As explicitly described in Eberman, the "toolkit interprets all VoiceXML markup and acts as the main control loop." (p. 714, section 3.1.) But it is not embedded in the operating systems across which the toolkit is portable. The term embedded, as conventionally understood, refers to a component or module that is part of a larger system, and it is often used to denote software that is not portable. In the context of Applicants' invention, the markup interpreter is embedded in an operating system. In Eberman, the markup interpreter is part of an application that is expressly intended to be portable across different operating systems. Accordingly, Applicants respectfully submit that Eberman does not teach or suggest this claimed feature.

Accordingly, not Rouillard, Eberman, Kraft, or any combination thereof teaches

or suggests every feature recited in amended Claims 1, 10, 15, and 24. Applicants respectfully submit, therefore, that independent Claims 1, 10, 15, and 24 define over the prior art. Applicants further respectfully submit that whereas each of the remaining claims depends from Claim 1, 10, 15, or 24 while reciting additional features, each of the dependent claims likewise defines over the prior art.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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